IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.4747 of 2007
SANATAN KUMAR
Versus
THE STATE OF BIHAR & ANR

11/ 16/7/2008. Heard learned counsel for the petitioner and learned counsel for O.P.No.2.

The allegations are in a complaint case under Section- 498A of I.P.C. There are no allegations of serious physical assault with injuries. This Court has already noticed that divorce case has been filed earlier by the petitioner. Today it is informed that O.P. No.2, in fact, appeared in the divorce matter, but subsequently stopped appearing.

Counsel for O.P.No.2 does not dispute the correctness of the submission, but reiterates the willingness to go back to the matrimonial home.

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The stand off between the parties is of no help to this Court. The provisional bail granted to the petitioner by order dated 19.2.2007 is hereby confirmed.

Counsel for the petitioner undertakes that the petitioner shall duly cooperate for an early disposal of the trial and that he shall be duly represented on all dates including his personal appearance on the dates that the court below shall so direct so that the trial may proceed expeditiously. In the event of violation of the undertaking by the petitioner, the court below shall be at liberty to take appropriate steps in law so that the trial is expedited.

The court below expects that the learned Magistrate shall

also make necessary endeavours for amicable settlement so that the complaint case itself may be disposed at the earliest.

KC **(Navin Sinha,J)**

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